

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of )  
 )  
The Southern New England Telephone )  
Company Petition for Expedited Waiver )  
 )  
SBC Request to Extend Limited Waiver )  
of Coding Digit Requirements )  
 )  
GTE Petition for Extension of Waiver )  
 )  
Implementation of the Pay Telephone )  
Reclassification and Compensation )  
Provisions of the )  
Telecommunications Act of 1996 )

**RECEIVED**

**DEC 29 1998**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

CC Docket No. 96-128

**REPLY COMMENTS OF U S WEST, INC.**

U S WEST hereby files these reply comments in reply to MCI WorldCom's Opposition (filed Dec. 21, 1998) to the limited waiver extension requests filed by SNET, SBC, and GTE.

U S WEST has experienced obstacles to full implementation of FLEX ANI similar to those encountered by SNET, SBC, and GTE, and has informed the Bureau of these difficulties in a letter filed Dec. 11, 1998. U S WEST asked that its letter be treated as a request for a temporary waiver, if the Bureau deemed such a waiver necessary.

The issue before the Commission is straightforward. LECs have sought to implement FLEX ANI as expeditiously as possible, but, despite those efforts, minor technical obstacles to full implementation remain. These technical problems were only discovered after FLEX ANI was initially tested. Since the problems were identified, the LECs have worked diligently with switch vendors to develop the software needed to resolve them. Despite MCI's totally

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unsupported insinuation (see MCI Opposition at 5) there is nothing that the LECs can do to force the switch vendors to make such software available any faster.

MCI admits that it is able to track payphone calls without FLEX ANI. Opposition at 3. Furthermore, MCI does not offer any support for the notion that LECs could have avoided the current difficulties with implementation of FLEX ANI. Nor does MCI offer the Commission any alternative to permitting the LECs to continue in their efforts to implement FLEX ANI as quickly as possible while ensuring that the per-call compensation system continues to function and that both PSPs and IXC's receive the best and most reliable service possible.

MCI's Opposition simply ignores the very substantial progress that LECs have made in implementation of FLEX ANI. For example, in the case of U S WEST, FLEX ANI is now operational in virtually every switch in U S WEST's network. For the vast majority of calls coming from virtually every payphone served by U S WEST, FLEX ANI digits are available to those IXC's who choose to receive them.<sup>1</sup>

Under the circumstances, there can be no doubt that waivers are in the public interest. As the Bureau noted in June, when it granted SBC a limited waiver to deal with these same problems:

The problems relate to the complexities of implementing FLEX ANI, of which the Commission already has taken note, and the delays in implementation appear

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<sup>1</sup>MCI's Opposition to the waiver requests is somewhat puzzling in light of its own casual attitude towards the ordering of FLEX ANI. While FLEX ANI has been available on over 90 percent of U S WEST payphone lines since June 30, 1998 and has been available from many U S WEST end offices for months, MCI has only very recently placed any orders for the service.

reasonable in light of these complexities. The presence of the problems, and SBC's efforts to resolve them, also are in keeping with the spirit of the needed transition period the Commission provided to facilitate the implementation of payphone compensation. . . . The waivers will promote the policies of the Payphone Orders by helping to ensure that payphone compensation payments to PSPs are not disrupted due to technical problems. . . . [T]he waivers relate to only a small portion of payphone calls made by the public.

Memorandum Opinion and Order, Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, 13 FCC Rcd. 11210, 11217-18, ¶¶ 18, 20 (Com. Car. Bur. 1998) (“June Waiver Order”).

While the Bureau's June Waiver Order extended only to December 31, 1998, the Bureau did not even suggest that further waivers would be inappropriate. The reason for the Bureau's cautious approach — granting limiting extensions, but leaving the possibility of further extensions open — is clear. The Bureau has consistently recognized that full implementation of FLEX ANI could not be accomplished through administrative fiat. Instead, the orderly transition to full FLEX ANI capability has required the expert efforts of LECs and switch vendors. As with the implementation of any untested technology, problems have cropped up, and these problems have taken time (and money) to solve.

But a brief comparison of the scope of the waivers granted in October, 1997, and the scope of the waivers that LECs seek today indicate just how far the LECs have come. The first waiver was a blanket waiver of the payphone-specific coding digit requirement; the Bureau noted that 40 percent of payphone lines were incapable of transmitting payphone specific digits. See Order, Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, 12 FCC Rcd. 16387, 16389, ¶¶ 6, 8 (Com. Car. Bur. 1997). At the time, U S WEST — which had already made a substantial investment in LIDB

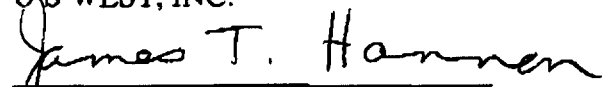
technology — lagged in implementation of FLEX ANI. See Memorandum Opinion and Order, Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, 13 FCC Rcd. 4998, 5031-5036, ¶¶ 65-72 (Com. Car. Bur. 1998). Today, virtually every payphone line served by U S WEST is FLEX ANI capable, and LECs seek waivers only for a relatively small number of calls.

The LECs have painstakingly documented the remaining minor technical problems with FLEX ANI and have committed to a schedule for resolving these problems that is as rapid as vendors' commitments will permit. In the case of U S WEST, almost all of the necessary work will be completed before June 30, 1999. The Bureau should recognize LECs' good faith efforts — and the constraints under which LECs must operate — and grant LECs the relief they seek. MCI offers no valid reason for doing otherwise.

Respectfully submitted,

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December 29, 1998

## CERTIFICATE OF SERVICE

I, Ross Dino, do hereby certify that on this 29<sup>th</sup> day of December, 1998, I have caused a copy of the foregoing **REPLY COMMENTS OF U S WEST, INC.** to be served, via United States mail, postage prepaid, upon the persons listed on the attached service list.

A handwritten signature in cursive script that reads "Ross Dino". The signature is written in dark ink and is positioned above a horizontal line.

Ross Dino

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